

EXECUTIVE SUMMARY

JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 530

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$13.6 million from the General Fund and 262.5 FTE positions to the Department of Justice. This is a decrease of \$917,000 and an increase of 3.0 FTE positions compared to the FY 2001 estimated net appropriation. The major changes include:
 - Decreases the General Fund appropriation to the Office of the Attorney General by \$846,000 compared to the FY 2001 estimated net appropriation. This will require leveraging other funds such as Consumer Education, Anti-Trust, and Forfeited Property. The spending limitation on the Consumer Education Fund is increased by \$250,000. (Page 1, Line 8 and Page 2, Line 1)
 - Decreases the General Fund appropriation for the Prosecuting Attorney Training Program by \$22,000 compared to the FY 2001 estimated net appropriation. (Page 1, Line 14)
 - Decreases the General Fund appropriation for Victim Assistance Grants by \$17,000 compared to the FY 2001 estimated net appropriation. (Page 2, Line 19)
 - Decreases the General Fund appropriation for Legal Services Poverty Grants by \$30,000 compared to the FY 2001 estimated net appropriation. (Page 4, Line 14)
- Appropriates a total of \$242.2 million from the General Fund and 4,222.8 FTE positions to the Department of Corrections. This is a decrease of \$8.8 million and 13.6 FTE positions compared to the FY 2001 estimated net appropriation. The major changes include:
 - Institutions: Decreases funding by \$6.1 million and 7.1 FTE positions compared to the FY 2001 estimated net appropriation. The major changes include:
 - A decrease of \$1.4 million and 9.0 FTE positions to eliminate a Counselor at each of the nine prisons and reduce the overtime budget. The positions are vacant or expected to be vacant due to retirement. (Page 6, Line 2 through Page 7, Line 33)
 - A decrease of \$438,000 to reduce vehicle depreciation at all of the prisons and the Corrections Training Center. The Act includes statutory language to implement this reduction. (Page 6, Line 2 through Page 7, Line 33 and Page 10, Line 24)
 - A decrease of \$517,000 to reduce the support budget at all of the prisons. The following line items are reduced: other supplies, uniforms, and advertising. (Page 6, Line 2 through Page 7, Line 33)
 - An increase of \$500,000 for the increased cost of natural gas at eight of the nine prisons. (Page 6, Line 2 through Page 7, Line 27)

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MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- A decrease of \$1.6 million for a 0.9% across-the-board reduction.
(Page 6, Line 2 through Page 7, Line 33)
- A decrease of \$2.0 million at Fort Madison. This decrease is offset by a FY 2001 supplemental appropriation of \$2.0 million. The FY 2001 revenue is a signing bonus from the federal Bureau of Prisons for agreeing to a 10-year contract to house federal prisoners.
(Page 6, Line 2 and Page 24, Line 24)
- A decrease of \$731,000 and 0.6 FTE position for the Special Needs Unit at Fort Madison.
(Page 6, Line 2)
- An increase of \$135,000 and 3.0 FTE positions for registered nurses at Newton and Clarinda.
(Page 6, Line 26; Page 7, Line 11)
- Central Office: Decreases funding by \$1.1 million and no change in FTE positions compared to the FY 2001 estimated net appropriation. The major changes include:
 - A decrease of \$797,000 to eliminate the appropriation for the Corrections Phase II lease-purchase payment. This reduction eliminates the lease-purchase payments related to construction authorized in FY 1990. The final year of the lease-purchase payment was FY 2001.
 - An increase of \$176,000 for the County Confinement Account. This account reimburses the counties for holding inmates who have violated the terms of their conditional release, pending a Parole Board revocation proceeding. The increase is based on actual expenditures for FY 2001.
(Page 7, Line 34)
 - A decrease of \$448,000 for a 6.6% across-the-board reduction for the following appropriations: Central Office, the Iowa Corrections Offender Network, Federal Prisoners Account (reimburses the federal Bureau of Prisons for holding Iowa inmates), and Corrections Education.
(Page 8, Line 4; Page 9, Line 4; Page 10, Line 30; Page 11, Line 18)
 - A decrease of \$29,000 for a 5.7% across-the-board reduction for the Corrections Training Center. (Page 10, Line 24)
- Community-Based Corrections (CBC): Decreases funding by \$1.6 million and 6.6 FTE positions compared to the FY 2001 estimated net appropriation. The major changes include:

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- A decrease of \$500,000 for sex offender hormonal therapy added two years ago in all eight of the CBC District Departments. (Page 13, Line 6 through Page 14, Line 13)
- A decrease of \$658,000 and 16.0 FTE positions for Field Services staff added last year in five of the eight CBC District Departments. (Page 13, Line 6; Page 13, Line 12; Page 13, Line 18; Page 13, Line 30; Page 14, Line 13)
- A decrease of \$370,000 and 5.5 FTE positions for Drug Courts added last year in the Second and Third CBC District Departments. (Page 13, Line 12; Page 13, Line 18)
- A decrease of \$412,000 for a 0.9% across-the-board reduction for seven of the eight CBC District Departments. (Page 13, Line 6; Page 13, Line 12; Page 13, Line 18; Page 13, Line 24; Page 13, Line 30; Page 14, Line 7; Page 14, Line 13)
- An increase of \$756,000 and 15.0 FTE positions to staff and operate the Dubuque and Council Bluffs new residential beds. (Page 13, Line 6; Page 13, Line 24)
- A decrease of \$345,000 in the Sixth CBC District Department, including \$297,000 for treatment contracts. The majority of the reduction is the residential facility-based Operating While Intoxicated Treatment Program. The District Department will reallocate existing staff to meet the mandatory licensure requirements of the program. (Page 14, Line 1)
- A decrease of \$102,000 for the Seventh CBC District Department to offset the lease-purchase of a currently rented facility. (Page 14, Line 7)
- Appropriates a total of \$34.6 million and 202.0 FTE positions to the Department of Inspections and Appeals. This is a decrease of \$993,000 and an increase of 1.0 FTE position compared to the FY 2001 estimated net appropriation. The major changes include:
 - An increase of \$398,000 to the Office of the State Public Defender compared to the FY 2001 estimated net appropriation. Maintains the current level of service. (Page 19, Line 1)
 - A decrease of \$1.4 million for the Indigent Defense Fund compared to the FY 2001 estimated net appropriation. The reduction is based on an FY 2000 appropriation transfer of \$680,000 to the Department of Human Services plus \$710,000 for a 3.3% across-the-board reduction. (Page 19, Line 8)
- Appropriates a total of \$1.3 million and 29.1 FTE positions to the Iowa Law Enforcement Academy. This is a decrease of \$95,000 and 1.0 FTE position compared to the FY 2001 estimated net appropriation. (Page 19, Line 18)

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MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- Appropriates a total of \$1.0 million and 16.5 FTE positions to the Parole Board. This is a decrease of \$60,000 and 1.5 FTE positions compared to the FY 2001 estimated net appropriation. (Page 20, Line 11)
- Appropriates a total of \$6.2 million and 285.0 FTE positions to the Department of Public Defense. This is a decrease of \$50,000 and an increase of 3.0 FTE positions compared to the FY 2001 estimated net appropriation. The major changes include:
 - Military Division - A decrease of \$42,000 compared to the FY 2001 estimated net appropriation for a 0.8% across-the-board reduction, and an increase of 3.0 FTE positions at Sioux City and Des Moines due to federal funding received in FY 2001. (Page 20, Line 27)
 - Emergency Management Division - A decrease of \$8,000 compared to the FY 2001 estimated net appropriation for a 0.8% across-the-board reduction. (Page 21, Line 3)
- Appropriates a total of \$59.4 million and 979.4 FTE positions to the Department of Public Safety. This is a decrease of \$4.9 million and 17.0 FTE positions compared to the FY 2001 estimated net appropriation. The major changes include:
 - National Crime Information Center - An increase of 1.0 FTE position to provide security for the law enforcement computer network as required by the National Crime Information Center. This is federally mandated and will be funded with federal grant funding. (Page 21, Line 15)
 - Administration - A decrease of \$225,000, including a technology position, equipment costs, office supplies, and vehicle depreciation funding. (Page 21, Line 15)
 - Division of Criminal Investigation (DCI) - A decrease of \$959,000 and 2.0 FTE positions compared to the FY 2001 estimated net appropriation, including equipment costs, vehicle depreciation, and overtime. The decrease also includes \$255,000 and 4.0 FTE positions that were added in FY 2001. (Page 21, Line 20)
 - Narcotics Enforcement - A decrease of \$705,000 and 4.0 FTE positions compared to the FY 2001 estimated net appropriation, including equipment costs, vehicle funds, and overtime. The decrease also includes \$348,000 and 4.0 FTE positions that were added in FY 2001, and a \$284,000 across-the-board reduction. (Page 22, Line 17)

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MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- *Fire Marshal* - A decrease of \$173,000 and an increase of 2.0 FTE positions compared to the FY 2001 estimated net appropriation. This includes a reduction in existing vacancies, vehicle funds, and equipment. The decrease also includes \$73,000 in one-time costs from FY 2001, and a \$32,000 across-the-board reduction. (Page 22, Line 29)
- *Capitol Police* - A decrease of \$151,000 and 1.0 FTE position compared to the FY 2001 estimated net appropriation. (Page 23, Line 9)
- *Iowa State Patrol* - A decrease of \$2.8 million and 13.0 FTE positions compared to the FY 2001 estimated net appropriation. (Page 23, Line 17) This includes:
 - A decrease of \$984,000 and 9.0 FTE positions for vacant positions, retirements, overtime, and extra help.
 - A decrease of \$309,000 to establish a sick leave payout fund.
 - A decrease of \$285,000 and 4.0 FTE positions in the Drug Abuse Resistance Program.
 - A decrease of \$1.2 million across-the-board reduction.

CHANGES TO THE CODE OF IOWA

- *Fire Fighter Training* - A decrease of \$142,000 compared to the FY 2001 estimated net appropriation. This is a reduction in the amount of training subsidies provided for volunteer firefighter training programs. (Page 24, Line 12)
- Permits the Department of Corrections to eliminate payments for depreciation. Maintains the requirement that the Department pay overhead and maintenance costs. (Page 25, Line 10)
- Establishes a non-reversionary sick leave payout fund in the Department of Public Safety by transferring funding from the Iowa State Patrol. Makes a 0.8% across-the-board reduction on the amount transferred from the Iowa State Patrol. (Page 25, Line 32)
- Requires that the average daily cost of confining a person in a county jail does not include administrative costs for the counties reimbursed by the Department for county confinement. Requires the counties to use the U.S. Marshal Service cost sheet when submitting claims to the Department of Corrections. (Page 26, Line 19 through Page 27, Line 34) *This item was vetoed by the Governor.*
- Permits an additional 2.0 FTE positions to be funded from the Victim Compensation Fund, contingent upon the enactment of SF 259 (Victim Compensation Act). Senate File 259 was enacted. (Page 3, Line 4)

INTENT LANGUAGE AND REQUIRED REPORTS

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INTENT LANGUAGE AND REQUIRED REPORTS (CONTINUED)

- Requires the Department of Corrections and the Department of Justice to assist local regional jail development authorities in issuing a report regarding the development of local jails. (Page 3, Line 18)
- Requires drug courts to be offered to offenders on a post-adjudication basis, and felonies are given priorities over misdemeanors. (Page 15, Line 8)
- Requires the Department of Corrections and the Second, Third, Fourth, and Fifth CBC District Departments to provide continuing evaluation of the drug courts. (Page 16, Line 32)
- Encourages State agencies to buy products from Iowa Prison Industries. Requires State agencies to report FY 2001 purchases from Iowa Prison Industries to the Legislative Fiscal Bureau. (Page 18, Line 11 through Line 28)
- Authorizes 2.0 FTE positions to establish an Elderly Crime Unit within the DCI, contingent upon federal funding. If the federal funding is received and later expires, then the 2.0 FTE positions are eliminated as well. (Page 21, Line 29)

LEGISLATIVE STUDY

- Establishes a study committee to meet during the 2001 Interim on issues relating to involuntary hospitalization and commitment proceedings. (Page 28, Line 25)

EFFECTIVE DATE

- Specifies that Section 14, the FY 2001 supplemental appropriation to the Fort Madison Correctional Facility, takes effect upon enactment. (Page 25, Line 6)

GOVERNOR'S VETOES

- The Governor vetoed intent language relating to reports required to be submitted by the Department of Corrections to the Justice Systems Appropriations Subcommittee and staff. The Governor vetoed language that stipulated what these reports need to include, stating that the data would need to be collected manually. (Page 15, Line 12 and Page 16, Line 6)
- The Governor vetoed language relating to county confinement. The language stated that the average daily cost of confining a person in a county jail does not include administrative costs to be reimbursed by the Department of Corrections. The Governor indicated that the language was vague and the United States Marshal's cost sheet did not provide any definition of administrative support personnel costs. (Page 26, Line 19 through Page 27, Line 34)

ENACTMENT DATE

- The Act was approved by the General Assembly on May 8, 2001, and item vetoed and signed by the Governor on May 30, 2001.

Senate File 530 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	25	1.5(b)	Nwthstnds	Section 8.33 and 8.39	Nonreversion of Victim Assistance Grants Appropriation
4	24	2	Nwthstnds	Section 8.33	Nonreversion of Contingent Appropriation from the Environmental Crime Fund
8	10	4.2(a)	Nwthstnds	Section 8.33	Nonreversion of Inmate Tort Claims Fund
10	33	5.3	Nwthstnds	Section 8.33	Nonreversion of Inmate Education Appropriation
24	17	13(10)	Nwthstnds	Section 8.33	Nonreversion of Volunteer Fire Fighter Training Grant
25	1	14	Nwthstnds	Section 8.33	Nonreversion of the FY 2001 Supplemental Appropriation to the Fort Madison Correctional Facility
25	10	16	Adds	Section 18.120(2)	Department of Corrections Depreciation Expenses
25	32	17	Adds	Section 80.42	Sick Leave Payout Fund
26	19	18	Amends	Section 904.513(2)	County Confinement Costs
27	3	19	Amends	Section 904.908(2)	County Confinement Costs
27	21	20	Amends	Section 906.17(2)	County Confinement Costs
27	35	21	Amends	Chapter 1101, Section 15.2, 1998 Iowa Acts	E911 Emergency Communications Fund

1 1 DIVISION I
1 2 REGULAR APPROPRIATIONS

1 3 Section 1. DEPARTMENT OF JUSTICE. There is appropriated
1 4 from the general fund of the state to the department of
1 5 justice for the fiscal year beginning July 1, 2001, and ending
1 6 June 30, 2002, the following amounts, or so much thereof as is
1 7 necessary, to be used for the purposes designated:

1 8 1. For the general office of attorney general for
1 9 salaries, support, maintenance, miscellaneous purposes
1 10 including odometer fraud enforcement, and for not more than
1 11 the following full-time equivalent positions:
1 12 \$ 7,900,519
1 13 FTEs 200.50

General Fund appropriation to the Department of Justice for the Office of the Attorney General.

DETAIL: This is a decrease of \$846,447 and an increase of 1.00 FTE position compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$846,447 for a 9.67% across-the-board reduction that will require leveraging other funds such as Consumer Education, Anti-Trust, and Forfeited Property.
2. An increase of 1.00 FTE position that is currently reimbursed from the Department of Commerce.

1 14 2. For the prosecuting attorney training program for
1 15 salaries, support, maintenance, miscellaneous purposes, and
1 16 for not more than the following full-time equivalent
1 17 positions:
1 18 \$ 304,943
1 19 FTEs 6.00

General Fund appropriation to the Department of Justice for the Prosecuting Attorney Training Program.

DETAIL: This is a decrease of \$22,078 and no change in FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$13,621 in office supplies, \$2,000 in communications, and \$4,000 in professional and scientific services.
2. A decrease of \$2,457 for a 0.80% across-the-board reduction.

1 20 3. In addition to the funds appropriated in subsection 1,
1 21 there is appropriated from the general fund of the state to
1 22 the department of justice for the fiscal year beginning July
1 23 1, 2001, and ending June 30, 2002, an amount not exceeding
1 24 \$200,000 to be used for the enforcement of the Iowa
1 25 competition law. The funds appropriated in this subsection
1 26 are contingent upon receipt by the general fund of the state
1 27 of an amount at least equal to the expenditure amount from
1 28 either damages awarded to the state or a political subdivision
1 29 of the state by a civil judgment under chapter 553, if the
1 30 judgment authorizes the use of the award for enforcement
1 31 purposes or costs or attorneys fees awarded the state in state
1 32 or federal antitrust actions. However, if the amounts
1 33 received as a result of these judgments are in excess of
1 34 \$200,000, the excess amounts shall not be appropriated to the
1 35 department of justice pursuant to this subsection.

Contingent General Fund appropriation for the enforcement of the Iowa Competition Law. The appropriation is contingent upon the receipt of damages due to anti-trust lawsuits and is limited to \$200,000. This is no change compared to the FY 2001 estimated net contingent appropriation.

2 1 4. In addition to the funds appropriated in subsection 1,
2 2 there is appropriated from the general fund of the state to
2 3 the department of justice for the fiscal year beginning July
2 4 1, 2001, and ending June 30, 2002, an amount not exceeding
2 5 \$400,000 to be used for public education relating to consumer
2 6 fraud and for enforcement of section 714.16, and an amount not
2 7 exceeding \$75,000 for investigation, prosecution, and consumer
2 8 education relating to consumer and criminal fraud against
2 9 older Iowans. The funds appropriated in this subsection are
2 10 contingent upon receipt by the general fund of the state of an
2 11 amount at least equal to the expenditure amount from damages
2 12 awarded to the state or a political subdivision of the state
2 13 by a civil consumer fraud judgment or settlement, if the
2 14 judgment or settlement authorizes the use of the award for
2 15 public education on consumer fraud. However, if the funds
2 16 received as a result of these judgments and settlements are in
2 17 excess of \$475,000, the excess funds shall not be appropriated
2 18 to the department of justice pursuant to this subsection.

Contingent General Fund appropriation to the Department of Justice for consumer education to combat consumer fraud.

DETAIL: This is an increase of \$250,000 compared to the FY 2001 estimated net contingent appropriation. The appropriation is contingent upon the receipt of damages due to consumer fraud lawsuits and is limited to \$475,000. Of this amount, \$400,000 is to be used for public education and enforcement purposes, and \$75,000 is to be used for investigation, prosecution, and consumer education relating to fraud against older Iowans.

PG LN	Senate File 530	Explanation
2 19	5. For victim assistance grants:	General Fund appropriation to the Department of Justice for the Victim Assistance Grants Program.
2 20 \$ 1,918,384	
		DETAIL: This is a decrease of \$17,422 (0.9%) compared to the FY 2001 estimated net appropriation.
2 21	a. The funds appropriated in this subsection shall be used	Requires that the Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.
2 22	to provide grants to care providers providing services to	
2 23	crime victims of domestic abuse or to crime victims of rape	
2 24	and sexual assault.	
2 25	b. Notwithstanding sections 8.33 and 8.39, moneys	CODE: Allows the balance remaining at the end of the fiscal year to carry forward to the next fiscal year and prohibits the transfer of the Victim Assistance Grants appropriation to any other program.
2 26	appropriated in this subsection that remain unencumbered or	
2 27	unobligated at the close of the fiscal year shall not revert	
2 28	but shall remain available for expenditure during the	
2 29	subsequent fiscal year for the same purpose, and shall not be	
2 30	transferred to any other program.	
2 31	6. For the ODCP prosecuting attorney program and for not	General Fund appropriation to the Department of Justice for the Office of Drug Control Policy Prosecuting Attorney Training Program.
2 32	more than the following full-time equivalent positions:	
2 33 \$ 132,037	DETAIL: This is a decrease of \$1,065 (0.80%) and no change in FTE positions compared to the FY 2001 estimated net appropriation.
2 34 FTEs 2.00	
2 35	7. The balance of the victim compensation fund established	Permits 20.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice. This is no change compared to the FY 2001 estimated net FTE limitation.
3 1	in section 915.94 may be used to provide salary and support of	
3 2	not more than 20.00 FTEs and to provide maintenance for the	
3 3	victim compensation functions of the department of justice.	
3 4	However, the balance of the fund may also be used to provide	Permits an additional 2.00 FTE positions to be funded from the Victim Compensation Fund contingent upon the enactment of SF 259 (Victim Compensation Act). Senate File 259 was enacted, so the number of positions the Department of Justice may fund from the Victim Compensation Fund is 22.00 FTE positions.
3 5	salary and support for an additional 2.00 FTEs if either 2001	
3 6	Iowa Acts, Senate File 259 or 2001 Iowa Acts, House File 684	
3 7	is enacted.	

3 8 8. The department of justice shall submit monthly
3 9 financial statements to the legislative fiscal bureau and the
3 10 department of management containing all appropriated accounts
3 11 in the same manner as provided in the monthly financial status
3 12 reports and personal services usage reports of the department
3 13 of revenue and finance. The monthly financial statements
3 14 shall include comparisons of the moneys and percentage spent
3 15 of budgeted to actual revenues and expenditures on a
3 16 cumulative basis for full-time equivalent positions and
3 17 available moneys.

Requires the Department of Justice to submit monthly financial statements on all appropriated accounts to the Legislative Fiscal Bureau (LFB) and the Department of Management (DOM). Specifies information to be included in the financial statements.

3 18 9. The department of justice and the department of
3 19 corrections shall assist local regional jail development
3 20 authorities in issuing a report regarding the development of
3 21 regional jails. The report shall include but is not limited
3 22 to the following: the design capacity, policy considerations,
3 23 governance and management structure, staffing needs, food
3 24 services, estimated design and construction costs, and
3 25 evaluating cost sharing between the state, participating
3 26 counties, and other political subdivisions. The report is due
3 27 on or before February 1, 2002.

Requires the Department of Justice and the Department of Corrections to assist local regional jail development authorities in issuing a report regarding the development of regional jails. The report is due February 1, 2002.

3 28 10. a. The department of justice, in submitting budget
3 29 estimates for the fiscal year commencing July 1, 2002,
3 30 pursuant to section 8.23, shall include a report of funding
3 31 from sources other than amounts appropriated directly from the
3 32 general fund of the state to the department of justice or to
3 33 the office of consumer advocate. These funding sources shall
3 34 include, but are not limited to, reimbursements from other
3 35 state agencies, commissions, boards, or similar entities, and
4 1 reimbursements from special funds or internal accounts within
4 2 the department of justice. The department of justice shall
4 3 report actual reimbursements for the fiscal year commencing
4 4 July 1, 2000, and actual and expected reimbursements for the
4 5 fiscal year commencing July 1, 2001.

Requires the Department of Justice, in submitting FY 2002 budget estimates, to submit a report to the DOM that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2001 and FY 2002.

4 6 b. The department of justice shall include the report
 4 7 required under paragraph "a", as well as information regarding
 4 8 any revisions occurring as a result of reimbursements actually
 4 9 received or expected at a later date, in a report to the co-
 4 10 chairpersons and ranking members of the joint appropriations
 4 11 subcommittee on the justice system and the legislative fiscal
 4 12 bureau. The department of justice shall submit the report on
 4 13 or before January 15, 2002.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2002.

4 14 11. For legal services for persons in poverty grants as
 4 15 provided in section 13.34:
 4 16 \$ 670,000

General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.

DETAIL: This is a decrease of \$30,000 compared to the FY 2001 estimated net appropriation.

4 17 As a condition for accepting a grant funded pursuant to
 4 18 this subsection, an organization receiving a grant shall
 4 19 submit a report to the general assembly by January 1, 2002,
 4 20 concerning the use of any grants received during the previous
 4 21 fiscal year and efforts made by the organization to find
 4 22 alternative sources of revenue to replace any reductions in
 4 23 federal funding for the organization.

Requires organizations receiving grants to report to the General Assembly by January 1, 2002, concerning grants received in FY 2001 and efforts to obtain alternative funding.

4 24 Sec. 2. DEPARTMENT OF JUSTICE — ENVIRONMENTAL CRIMES
 4 25 INVESTIGATION AND PROSECUTION — FUNDING. There is
 4 26 appropriated from the environmental crime fund of the
 4 27 department of justice, consisting of court-ordered fines and
 4 28 penalties awarded to the department arising out of the
 4 29 prosecution of environmental crimes, to the department of
 4 30 justice for the fiscal year beginning July 1, 2001, and ending
 4 31 June 30, 2002, an amount not exceeding \$20,000 to be used by
 4 32 the department, at the discretion of the attorney general, for
 4 33 the investigation and prosecution of environmental crimes,
 4 34 including the reimbursement of expenses incurred by county,
 4 35 municipal, and other local governmental agencies cooperating

Environmental Crime Fund appropriation of up to \$20,000 to the Department of Justice contingent upon receipt of contributions, court-ordered restitution, and consent decrees as a part of civil or regulatory enforcement actions. The funds are to be used for the investigation and prosecution of environmental crimes.

DETAIL: Maintains the current level of contingent funding.

CODE: Allows any ending balance of the contingent appropriation to carry forward to the next fiscal year.

5 1 with the department in the investigation and prosecution of
5 2 environmental crimes.

5 3 The funds appropriated in this section are contingent upon
5 4 receipt by the environmental crime fund of the department of
5 5 justice of an amount at least equal to the appropriations made
5 6 in this section and received from contributions, court-ordered
5 7 restitution as part of judgments in criminal cases, and
5 8 consent decrees entered into as part of civil or regulatory
5 9 enforcement actions. However, if the funds received during
5 10 the fiscal year are in excess of \$20,000, the excess funds
5 11 shall be deposited in the general fund of the state.

5 12 Notwithstanding section 8.33, moneys appropriated in this
5 13 section that remain unexpended or unobligated at the close of
5 14 the fiscal year shall not revert but shall remain available
5 15 for expenditure for the purpose designated until the close of
5 16 the succeeding fiscal year.

5 17 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
5 18 appropriated from the general fund of the state to the office
5 19 of consumer advocate of the department of justice for the
5 20 fiscal year beginning July 1, 2001, and ending June 30, 2002,
5 21 the following amount, or so much thereof as is necessary, to
5 22 be used for the purposes designated:

5 23 For salaries, support, maintenance, miscellaneous purposes,
5 24 and for not more than the following full-time equivalent
5 25 positions:

5 26 \$ 2,690,067

5 27 FTEs 32.00

5 28 Sec. 4. DEPARTMENT OF CORRECTIONS — FACILITIES. There is
5 29 appropriated from the general fund of the state to the
5 30 department of corrections for the fiscal year beginning July
5 31 1, 2001, and ending June 30, 2002, the following amounts, or
5 32 so much thereof as is necessary, to be used for the purposes
5 33 designated:

5 34 1. For the operation of adult correctional institutions,

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: Maintains current level of funding. Any change in General Fund expenses changes General Fund receipts by the same amount.

5 35 reimbursement of counties for certain confinement costs, and
6 1 federal prison reimbursement, to be allocated as follows:

6 2 a. For the operation of the Fort Madison correctional
6 3 facility, including salaries, support, maintenance, employment
6 4 of correctional officers, miscellaneous purposes, and for not
6 5 more than the following full-time equivalent positions:
6 6 \$ 27,742,137
6 7 FTEs 525.50

General Fund appropriation to the Department of Corrections (DOC)
for the Fort Madison Correctional Facility.

DETAIL: This is a decrease of \$3,083,375 and a decrease of 1.58
FTE positions compared to the FY 2001 estimated net appropriation.
The change includes:

1. A decrease of \$826,980 to eliminate FY 2001 one-time costs for construction of the Special Needs Unit.
2. A decrease of \$97,576 and 1.00 FTE position for a Counselor and overtime costs.
3. A decrease of \$54,100 to eliminate depreciation expenses.
4. A decrease of \$8,301 from other supplies.
5. A decrease of \$43,610 from uniforms.
6. A decrease of \$268,568 for a 0.90% across-the-board reduction.
7. An increase of \$113,000 for utility costs associated with the Special Needs Unit.
8. A net decrease of \$17,186 and 0.58 FTE position for the Special Needs Unit. The 2000 General Assembly appropriated \$182,041 and 2.58 FTE positions for FY 2001 for four positions for the Special Needs Unit hired midway through the fiscal year. This funding annualizes 2.00 FTE positions (Treatment Services Director and Physician) and eliminates 2.00 FTE positions (Plant Operations Manager and Psychology Administrator).
9. A decrease of \$2,000,000 which is offset by a FY 2001 supplemental appropriation made in Section 13 of this Act.
10. An increase of \$119,946 for the increased cost of natural gas.

6 8 b. For the operation of the Anamosa correctional facility,
6 9 including salaries, support, maintenance, employment of
6 10 correctional officers and a part-time chaplain to provide
6 11 religious counseling to inmates of a minority race,
6 12 miscellaneous purposes, and for not more than the following
6 13 full-time equivalent positions:
6 14 \$ 23,591,417

General Fund appropriation to the DOC for the Anamosa Correctional Facility.

DETAIL: This is a decrease of \$408,535 and 1.00 FTE position compared to the FY 2001 estimated net appropriation. The change includes:

PG LN	Senate File 530	Explanation
6 15 FTEs 403.50		<ol style="list-style-type: none"> 1. A decrease of \$244,157 and 1.00 FTE position for a Counselor and overtime costs. 2. A decrease of \$38,252 to eliminate depreciation expenses. 3. A decrease of \$10,797 from other supplies. 4. A decrease of \$46,404 from uniforms. 5. A decrease of \$1,484 from advertising. 6. A decrease of \$212,574 for a 0.90% across-the-board reduction. 7. An increase of \$145,133 for the increased cost of natural gas.
6 16 Moneys are provided within this appropriation for two full– 6 17 time substance abuse counselors for the Luster Heights 6 18 facility, for the purpose of certification of a substance 6 19 abuse program at that facility.		Specifies that funds be provided for two substance abuse counselors to be employed at the Luster Heights Facility.
6 20 c. For the operation of the Oakdale correctional facility, 6 21 including salaries, support, maintenance, employment of 6 22 correctional officers, miscellaneous purposes, and for not 6 23 more than the following full–time equivalent positions: 6 24 \$ 21,564,956 6 25 FTEs 337.80		General Fund appropriation to the DOC for the Oakdale Correctional Facility. DETAIL: This is a decrease of \$396,789 and 1.00 FTE position compared to the FY 2001 estimated net appropriation. The change includes: <ol style="list-style-type: none"> 1. A decrease of \$178,785 and 1.00 FTE position for a Counselor and overtime costs. 2. A decrease of \$46,000 to eliminate depreciation expenses. 3. A decrease of \$3,159 from other supplies. 4. A decrease of \$33,781 from uniforms. 5. A decrease of \$4,000 from advertising. 6. A decrease of \$194,938 for a 0.90% across-the-board reduction. 7. An increase of \$63,874 for the increased cost of natural gas.
6 26 d. For the operation of the Newton correctional facility, 6 27 including salaries, support, maintenance, employment of 6 28 correctional officers, miscellaneous purposes, and for not 6 29 more than the following full–time equivalent positions: 6 30 \$ 23,023,286 6 31 FTEs 392.25		General Fund appropriation to the DOC for the Newton Correctional Facility. DETAIL: This is a decrease of \$429,860 and no change in FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$227,081 and 1.00 FTE position for a Counselor and overtime costs.
2. An increase of \$47,293 and 1.00 FTE position for a nurse.
3. A decrease of \$60,000 to eliminate depreciation expenses.
4. A decrease of \$4,380 from other supplies.
5. A decrease of \$51,875 from uniforms.
6. A decrease of \$4,600 from advertising.
7. A decrease of \$208,024 for a 0.90% across-the-board reduction.
8. An increase of \$78,807 for the increased cost of natural gas.

6 32 e. For the operation of the Mt. Pleasant correctional
 6 33 facility, including salaries, support, maintenance, employment
 6 34 of correctional officers and a full-time chaplain to provide
 6 35 religious counseling at the Oakdale and Mt. Pleasant
 7 1 correctional facilities, miscellaneous purposes, and for not
 7 2 more than the following full-time equivalent positions:
 7 3 \$ 21,677,580
 7 4 FTEs 341.09

General Fund appropriation to the Mount Pleasant Correctional Facility.

DETAIL: This is a decrease of \$495,396 and 1.50 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$197,001 and 1.00 FTE position for a Counselor and overtime costs.
2. A decrease of 0.50 FTE position in the base budget.
3. A decrease of \$51,720 to eliminate depreciation expenses.
4. A decrease of \$6,636 from other supplies.
5. A decrease of \$53,363 from uniforms.
6. A decrease of \$196,449 for a 0.90% across-the-board reduction.
7. An increase of \$9,773 for the increased cost of natural gas.

7 5 f. For the operation of the Rockwell City correctional
 7 6 facility, including salaries, support, maintenance, employment
 7 7 of correctional officers, miscellaneous purposes, and for not
 7 8 more than the following full-time equivalent positions:
 7 9 \$ 7,178,143
 7 10 FTEs 119.00

General Fund appropriation to the DOC for the Rockwell City Facility.

DETAIL: This is a decrease of \$184,325 and 2.00 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$64,943 and 1.00 FTE position for a Counselor and overtime costs.
2. A decrease of \$36,992 and 1.00 FTE position to transfer a correctional officer position to the Clarinda Correctional Facility.
3. A decrease of \$30,000 to eliminate depreciation expenses.
4. A decrease of \$4,247 from other supplies.

5. A decrease of \$12,919 from uniforms.
6. A decrease of \$64,812 for a 0.90% across-the-board reduction.
7. An increase of \$29,588 for the increased cost of natural gas.

7 11 g. For the operation of the Clarinda correctional
 7 12 facility, including salaries, support, maintenance, employment
 7 13 of correctional officers, miscellaneous purposes, and for not
 7 14 more than the following full-time equivalent positions:
 7 15 \$ 17,952,898
 7 16 FTEs 294.75

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is a decrease of \$310,736 and an increase of 2.00 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. An increase of \$87,586 and 2.00 FTE positions for nurses.
2. An increase of \$36,992 and 1.00 FTE position to transfer in one correctional officer position from the Rockwell City Correctional Facility.
3. A decrease of \$186,634 and 1.00 FTE position for a Counselor and overtime costs.
4. A decrease of \$51,000 to eliminate depreciation expenses.
5. A decrease of \$33,181 from other supplies.
6. A decrease of \$28,255 from uniforms.
7. A decrease of \$1,000 from advertising.
8. A decrease of \$162,522 for a 0.90% across-the-board reduction.
9. An increase of \$27,278 for the increased cost of natural gas.

7 17 Moneys received by the department of corrections as
 7 18 reimbursement for services provided to the Clarinda youth
 7 19 corporation are appropriated to the department and shall be
 7 20 used for the purpose of operating the Clarinda correctional
 7 21 facility.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,100,000.

7 22 h. For the operation of the Mitchellville correctional
 7 23 facility, including salaries, support, maintenance, employment
 7 24 of correctional officers, miscellaneous purposes, and for not
 7 25 more than the following full-time equivalent positions:
 7 26 \$ 12,229,337

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is a decrease of \$176,678 and 1.00 FTE position compared to the FY 2001 estimated net appropriation. The change

7 27 FTEs 236.00

includes:

1. A decrease of \$51,431 and 1.00 FTE position for a Counselor and overtime costs.
2. A decrease of \$14,569 to eliminate depreciation expenses.
3. A decrease of \$2,622 from other supplies.
4. A decrease of \$22,513 from uniforms.
5. A decrease of \$500 from advertising.
6. A decrease of \$110,644 for a 0.90% across-the-board reduction.
7. An increase of \$25,601 for the increased cost of natural gas.

7 28 i. For the operation of the Fort Dodge correctional
 7 29 facility, including salaries, support, maintenance, employment
 7 30 of correctional officers, miscellaneous purposes, and for not
 7 31 more than the following full-time equivalent positions:
 7 32 \$ 25,274,461
 7 33 FTEs 413.00

General Fund appropriation to the DOC for the Fort Dodge
 Correctional Facility.

DETAIL: This is a decrease of \$578,249 and 1.00 FTE position
 compared to the FY 2001 estimated net appropriation. The change
 includes:

1. A decrease of \$118,754 and 1.00 FTE position for a Counselor and overtime costs.
2. A decrease of \$90,066 to eliminate depreciation expenses.
3. A decrease of \$26,677 from other supplies.
4. A decrease of \$108,532 from uniforms.
5. A decrease of \$3,816 from advertising.
6. A decrease of \$230,404 for a 0.90% across-the-board reduction.

7 34 j. For reimbursement of counties for temporary confinement
 7 35 of work release and parole violators, as provided in sections
 8 1 901.7, 904.908, and 906.17 and for offenders confined pursuant
 8 2 to section 904.513:
 8 3 \$ 700,438

General Fund appropriation to the DOC for County Confinement
 Account to pay for holding parole and work release violators until their
 return to prison.

DETAIL: This is an increase of \$176,400 compared to the FY 2001
 estimated net appropriation. The FY 2002 increase is based on actual
 costs for FY 2001.

8 4 k. For federal prison reimbursement, reimbursements for
 8 5 out-of-state placements, and miscellaneous contracts:
 8 6 \$ 318,568

General Fund appropriation to the DOC to reimburse the federal
 Bureau of Prisons for confining Iowa inmates and to pay
 miscellaneous contracts.

DETAIL: This is a decrease of \$22,766 compared to the FY 2001 estimated net appropriation, for a 0.90% across-the-board reduction.

8 7 The department of corrections shall use funds appropriated
8 8 in this subsection to continue to contract for the services of
8 9 a Muslim imam.

Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.

8 10 2. a. If the inmate tort claim fund for inmate claims of
8 11 less than \$100 is exhausted during the fiscal year, sufficient
8 12 funds shall be transferred from the institutional budgets to
8 13 pay approved tort claims for the balance of the fiscal year.
8 14 The warden or superintendent of each institution or
8 15 correctional facility shall designate an employee to receive,
8 16 investigate, and recommend whether to pay any properly filed
8 17 inmate tort claim for less than the above amount. The
8 18 designee's recommendation shall be approved or denied by the
8 19 warden or superintendent and forwarded to the department of
8 20 corrections for final approval and payment. The amounts
8 21 appropriated to this fund pursuant to 1987 Iowa Acts, chapter
8 22 234, section 304, subsection 2, are not subject to reversion
8 23 under section 8.33.

CODE: Specifies that the Inmate Tort Claim Fund that pays for claims of less than \$100.00 against the State not revert to the General Fund.

Requires shortfalls to be paid from the Institutions' budgets. Denied claims are to be forwarded to the State Appeals Board for consideration.

8 24 b. Tort claims denied at the institution shall be
8 25 forwarded to the state appeal board for their consideration as
8 26 if originally filed with that body. This procedure shall be
8 27 used in lieu of chapter 669 for inmate tort claims of less
8 28 than \$100.

8 29 3. It is the intent of the general assembly that the
8 30 department of corrections shall timely fill correctional
8 31 positions authorized for correctional facilities pursuant to
8 32 this section.

Specifies that it is the intent of the General Assembly that the DOC fill FTE positions in a timely manner.

8 33 Sec. 5. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.
8 34 There is appropriated from the general fund of the state to
8 35 the department of corrections for the fiscal year beginning

9 1 July 1, 2001, and ending June 30, 2002, the following amounts,
9 2 or so much thereof as is necessary, to be used for the
9 3 purposes designated:

9 4 1. For general administration, including salaries,
9 5 support, maintenance, employment of an education director and
9 6 clerk to administer a centralized education program for the
9 7 correctional system, miscellaneous purposes, and for not more
9 8 than the following full-time equivalent positions:
9 9 \$ 2,315,093
9 10 FTEs 37.18

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is a decrease of \$165,452 and no change in FTE positions for a 6.67% across-the-board reduction.

9 11 a. The department shall monitor the use of the
9 12 classification model by the judicial district departments of
9 13 correctional services and has the authority to override a
9 14 district department's decision regarding classification of
9 15 community-based clients. The department shall notify a
9 16 district department of the reasons for the override.

Requires the DOC to monitor the Community-Based Corrections (CBC) District Departments' use of the risk/needs assessment model, and permits the DOC to override a District Department's classification upon notice to the District Department.

9 17 b. It is the intent of the general assembly that as a
9 18 condition of receiving the appropriation provided in this
9 19 subsection, the department of corrections shall not, except as
9 20 otherwise provided in paragraph "c", enter into a new
9 21 contract, unless the contract is a renewal of an existing
9 22 contract, for the expenditure of moneys in excess of \$100,000
9 23 during the fiscal year beginning July 1, 2001, for the
9 24 privatization of services performed by the department using
9 25 state employees as of July 1, 2001, or for the privatization
9 26 of new services by the department, without prior consultation
9 27 with any applicable state employee organization affected by
9 28 the proposed new contract and prior notification of the
9 29 cochairpersons and ranking members of the joint appropriations
9 30 subcommittee on the justice system.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a contract in excess of \$100,000 for privatized services during FY 2002 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee. Existing contracts may be renewed without notification.

9 31 c. It is the intent of the general assembly that each
9 32 lease negotiated by the department of corrections with a
9 33 private corporation for the purpose of providing private
9 34 industry employment of inmates in a correctional institution
9 35 shall prohibit the private corporation from utilizing inmate
10 1 labor for partisan political purposes for any person seeking
10 2 election to public office in this state and that a violation
10 3 of this requirement shall result in a termination of the lease
10 4 agreement.

Specifies that it is the intent of the General Assembly that the DOC shall prohibit using inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

10 5 d. It is the intent of the general assembly that as a
10 6 condition of receiving the appropriation provided in this
10 7 subsection, the department of corrections shall not enter into
10 8 a lease or contractual agreement pursuant to section 904.809
10 9 with a private corporation for the use of building space for
10 10 the purpose of providing inmate employment without providing
10 11 that the terms of the lease or contract establish safeguards
10 12 to restrict, to the greatest extent feasible, access by
10 13 inmates working for the private corporation to personal
10 14 identifying information of citizens.

Specifies that it is the intent of the General Assembly that as a condition of receiving the appropriated funds the DOC, when contracting with a private business for inmate employment, shall restrict to the greatest extent feasible inmates' access to citizens' personal identifying information.

10 15 e. It is the intent of the general assembly that as a
10 16 condition of receiving the appropriation provided in this
10 17 subsection, the department of corrections shall not enter into
10 18 any new agreement with a private for-profit agency or
10 19 corporation for the purpose of transferring inmates under the
10 20 custody of the department to a jail or correctional facility
10 21 or institution in this state which is established, maintained,
10 22 or operated by a private for-profit agency or corporation
10 23 without prior approval by the general assembly.

Specifies that it is the intent of the General Assembly that, as a condition of receiving the appropriation in this subsection, the DOC shall not enter into a contract to place offenders in its custody in a private, for-profit facility without prior approval of the General Assembly.

10 24 2. For salaries, support, maintenance, miscellaneous
10 25 purposes, and for not more than the following full-time
10 26 equivalent positions at the correctional training center at
10 27 Mt. Pleasant:
10 28 \$ 473,479

General Fund appropriation to the DOC for the Corrections Training Center.

DETAIL: This is a decrease of \$31,455 and no change in FTE positions compared to the FY 2001 estimated net appropriation. The

PG LN	Senate File 530	Explanation
10 29 FTEs 8.07		<p>change includes:</p> <ol style="list-style-type: none"> 1. A decrease of \$2,520 to eliminate depreciation expenses. 2. A decrease of \$28,935 for a 5.73% across-the-board reduction.
<p>10 30 3. For educational programs for inmates at state penal 10 31 institutions: 10 32 \$ 3,075,014</p>		<p>General Fund appropriation to the DOC for educational programs for inmates.</p> <p>DETAIL: This is a decrease of \$219,761 compared to the FY 2001 estimated net appropriation for a 6.67% across-the-board reduction.</p>
<p>10 33 It is the intent of the general assembly that moneys 10 34 appropriated in this subsection shall be used solely for the 10 35 purpose indicated and that the moneys shall not be transferred 11 1 for any other purpose. In addition, it is the intent of the 11 2 general assembly that the department shall consult with the 11 3 community colleges in the areas in which the institutions are 11 4 located to utilize moneys appropriated in this subsection to 11 5 fund the high school completion, high school equivalency 11 6 diploma, adult literacy, and adult basic education programs in 11 7 a manner so as to maintain these programs at the institutions. 11 8 To maximize the funding for educational programs, the 11 9 department shall establish guidelines and procedures to 11 10 prioritize the availability of educational and vocational 11 11 training for inmates based upon the goal of facilitating an 11 12 inmate's successful release from the correctional institution. 11 13 Notwithstanding section 8.33, moneys appropriated in this 11 14 subsection that remain unobligated or unexpended at the close 11 15 of the fiscal year shall not revert but shall remain available 11 16 for expenditure only for the purpose designated in this 11 17 subsection until the close of the succeeding fiscal year.</p>		<p>Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also specifies that the DOC shall consult with community colleges located in the area of the prisons on how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions.</p> <p>Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison.</p> <p>CODE: Requires that unexpended and unobligated educational program funds not revert to the General Fund but remain available in FY 2002 only for the specified purposes.</p>
<p>11 18 4. For the development of the departmentalwide Iowa 11 19 corrections offender network (ICON) data system: 11 20 \$ 559,980</p>		<p>General Fund appropriation to the DOC for the Iowa Corrections Offender Network.</p>

DETAIL: This is a decrease of \$40,020 compared to the FY 2001 estimated net appropriation for a 6.67% across-the-board reduction.

11 21 5. The department of corrections shall submit a report to
11 22 the cochairpersons and ranking members of the joint
11 23 appropriations subcommittee on the justice system and the
11 24 legislative fiscal bureau, on or before January 15, 2002,
11 25 concerning the development and implementation of the Iowa
11 26 corrections offender network (ICON) data system. The report
11 27 shall include a description of the system and functions, a
11 28 plan for implementation of the system, including a timeline,
11 29 resource and staffing requirements for the system, and a
11 30 current status and progress report concerning the
11 31 implementation of the system. In addition, the report shall
11 32 specifically address the ability of the system to receive and
11 33 transmit data between prisons, community-based corrections
11 34 district departments, the judicial branch, board of parole,
11 35 the criminal and juvenile justice planning division of the
12 1 department of human rights, the department of public safety,
12 2 and other applicable governmental agencies. The report should
12 3 include a detailed discussion of the cooperation with other
12 4 state agencies and the judicial branch in the development and
12 5 implementation of the system.

Requires the DOC to report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2002, concerning the development and implementation of the Iowa Corrections Offender Network. Specifies the contents of the report.

12 6 6. It is the intent of the general assembly that the
12 7 department of corrections shall continue to operate the
12 8 correctional farms under the control of the department at the
12 9 same or greater level of participation and involvement as
12 10 existed as of January 1, 2001, shall not enter into any rental
12 11 agreement or contract concerning any farmland under the
12 12 control of the department that is not subject to a rental
12 13 agreement or contract as of January 1, 2001, without prior
12 14 legislative approval, and shall further attempt to provide job
12 15 opportunities at the farms for inmates. The department shall
12 16 attempt to provide job opportunities at the farms for inmates
12 17 by encouraging labor-intensive farming or gardening where

Specifies that it is the intent of the General Assembly that the DOC continues farm operations at the same or greater level as existed on January 1, 2001. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the prison farms.

12 18 appropriate, using inmates to grow produce and meat for
12 19 institutional consumption, researching the possibility of
12 20 instituting food canning and cook-and-chill operations, and
12 21 exploring opportunities for organic farming and gardening,
12 22 livestock ventures, horticulture, and specialized crops.

12 23 7. The department of corrections shall submit a report to
12 24 the general assembly by January 1, 2002, concerning moneys
12 25 recouped from inmate earnings for the reimbursement of
12 26 operational expenses of the applicable facility during the
12 27 fiscal year beginning July 1, 2000, for each correctional
12 28 institution and judicial district department of correctional
12 29 services. In addition, each correctional institution and
12 30 judicial district department of correctional services shall
12 31 continue to submit a report to the legislative fiscal bureau
12 32 on a monthly basis concerning moneys recouped from inmate
12 33 earnings pursuant to sections 904.702, 904.809, and 905.14.

12 34 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
12 35 SERVICES.

13 1 1. There is appropriated from the general fund of the
13 2 state to the department of corrections for the fiscal year
13 3 beginning July 1, 2001, and ending June 30, 2002, the
13 4 following amounts, or so much thereof as is necessary, to be
13 5 allocated as follows:

13 6 a. For the first judicial district department of
13 7 correctional services, including the treatment and supervision
13 8 of probation and parole violators who have been released from
13 9 the department of corrections violator program, the following
13 10 amount, or so much thereof as is necessary:
13 11 \$ 8,870,274

Requires the DOC to submit a report to the General Assembly by January 1, 2002, concerning the FY 2001 revenues recouped from inmate earnings for operational expenses for each prison and CBC District Department. Each prison and CBC District Department is required to submit monthly reports to the LFB concerning funds recovered from offenders for inmate deductions, private sector employment of inmates, and enrollment fees.

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is a decrease of \$262,710 and 1.50 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$45,000 for FY 2001 one-time costs.
2. A decrease of \$67,442 for sex offender hormonal therapy added two years ago.

3. An increase of \$94,574 and 2.50 FTE positions to annualize staff for new beds at the Dubuque Facility. The additional beds opened in February 2001.
4. A decrease of \$164,420 and 4.00 FTE positions for Field Services added last year.
5. A decrease of \$80,422 for a 0.90% across-the-board reduction.

13 12 b. For the second judicial district department of
 13 13 correctional services, including the treatment and supervision
 13 14 of probation and parole violators who have been released from
 13 15 the department of corrections violator program, the following
 13 16 amount, or so much thereof as is necessary:
 13 17 \$ 6,740,702

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is a decrease of \$429,019 and 4.50 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$62,209 for sex offender hormonal therapy added two years ago.
2. A decrease of \$41,105 and 1.00 FTE position for Field Services added last year.
3. A decrease of \$264,591 and 3.50 FTE positions for a Drug Court added last year.
4. A decrease of \$61,114 for a 0.90% across-the-board reduction.

13 18 c. For the third judicial district department of
 13 19 correctional services, including the treatment and supervision
 13 20 of probation and parole violators who have been released from
 13 21 the department of corrections violator program, the following
 13 22 amount, or so much thereof as is necessary:
 13 23 \$ 4,033,736

General Fund appropriation to the Third CBC District Department.

DETAIL: This is a decrease of \$370,882 and 6.00 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$64,535 for sex offender hormonal therapy added two years ago.
2. A decrease of \$164,420 and 4.00 FTE positions for Field Services staff added last year.
3. A decrease of \$105,356 and 2.00 FTE positions for a Drug Court added last year.
4. A decrease of \$36,571 for a 0.90% across-the-board reduction.

13 24 d. For the fourth judicial district department of
 13 25 correctional services, including the treatment and supervision
 13 26 of probation and parole violators who have been released from
 13 27 the department of corrections violator program, the following
 13 28 amount, or so much thereof as is necessary:
 13 29 \$ 3,829,927

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of \$651,842 and 12.50 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. An increase of \$608,079 and 12.50 FTE positions for the new, 25-bed residential facility for women offenders. The facility is anticipated to open in July 2001. The funding is based on a September 1, 2001, opening date.
2. An increase of \$98,836 for FY 2002 one-time costs for the new facility.
3. A decrease of \$20,349 for sex offender hormonal therapy added two years ago.
4. A decrease of \$34,724 for a 0.90% across-the-board reduction.

13 30 e. For the fifth judicial district department of
 13 31 correctional services, including the treatment and supervision
 13 32 of probation and parole violators who have been released from
 13 33 the department of corrections violator program, the following
 13 34 amount, or so much thereof as is necessary:
 13 35 \$ 11,823,192

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is a decrease of \$456,906 and 5.00 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$144,186 for sex offender hormonal therapy added two years ago.
2. A decrease of \$205,525 and 5.00 FTE positions for Field Services staff added last year.
3. A decrease of \$107,195 for a 0.90% across-the-board reduction.

14 1 f. For the sixth judicial district department of
 14 2 correctional services, including the treatment and supervision
 14 3 of probation and parole violators who have been released from
 14 4 the department of corrections violator program, the following
 14 5 amount, or so much thereof as is necessary:
 14 6 \$ 8,941,214

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is a decrease of \$397,811 and 0.06 FTE position compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$52,326 for sex offender hormonal therapy added two years ago.
2. A decrease of \$24,500 for urinalysis testing.
3. A decrease of \$24,287 and 0.06 FTE position for a vacant, part-time residential security position.
4. A decrease of \$296,698 for treatment contracts. The majority of this reduction is for the residential facility-based Operating While Intoxicated (OWI) Treatment Program. The District Department will reallocate existing staff to meet the mandatory licensure requirements for this prison-diversion program.

14 7 g. For the seventh judicial district department of
14 8 correctional services, including the treatment and supervision
14 9 of probation and parole violators who have been released from
14 10 the department of corrections violator program, the following
14 11 amount, or so much thereof as is necessary:
14 12 \$ 5,157,571

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is a decrease of \$185,594 and no change in FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$36,638 for sex offender hormonal therapy added two years ago.
2. A decrease of \$102,196 to offset the lease-purchase of a currently rented facility.
3. A decrease of \$46,760 for a 0.90% across-the-board reduction.

14 13 h. For the eighth judicial district department of
14 14 correctional services, including the treatment and supervision
14 15 of probation and parole violators who have been released from
14 16 the department of corrections violator program, the following
14 17 amount, or so much thereof as is necessary:
14 18 \$ 5,033,178

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is a decrease of \$180,169 and 2.00 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$52,326 for sex offender hormonal therapy added two years ago.
2. A decrease of \$82,210 and 2.00 FTE positions for Field Services staff added last year.

14 19 i. For the department of corrections for the assistance
 14 20 and support of each judicial district department of
 14 21 correctional services, the following amount, or so much
 14 22 thereof as is necessary:
 14 23 \$ 78,119

14 24 2. Each judicial district department of correctional
 14 25 services shall continue programs and plans established within
 14 26 that district to provide for intensive supervision, sex
 14 27 offender treatment, diversion of low-risk offenders to the
 14 28 least restrictive sanction available, job development, and
 14 29 expanded use of intermediate criminal sanctions.

14 30 3. The department of corrections shall continue to
 14 31 contract with a judicial district department of correctional
 14 32 services to provide for the rental of electronic monitoring
 14 33 equipment which shall be available statewide.

14 34 4. Each judicial district department of correctional
 14 35 services and the department of corrections shall continue the
 15 1 treatment alternatives to street crime programs established in
 15 2 1989 Iowa Acts, chapter 225, section 9.

15 3 5. The governor's office of drug control policy shall
 15 4 consider federal grants made to the department of corrections
 15 5 for the benefit of each of the eight judicial district
 15 6 departments of correctional services as local government
 15 7 grants, as defined pursuant to federal regulations.

3. A decrease of \$45,633 for a 0.90% across-the-board reduction.

General Fund appropriation to the DOC for the CBC Statewide Account.

DETAIL: This is a decrease of \$5,457 compared to the FY 2001 estimated net appropriation. The change includes:

1. A decrease of \$3,628 due to a reduction in out-of-state travel.
2. A decrease of \$1,829 for a 2.10% across-the-board reduction.

Requires each CBC District Department to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

Requires the DOC to continue to contract with a CBC District Department to provide a statewide electronic monitoring program.

DETAIL: The DOC contracts with the Fifth CBC District Department for services to all other CBC District Departments.

Requires all CBC District Departments and the DOC to continue the Treatment Alternatives to Street Crime (TASC) Program.

Requires the Office of Drug Control Policy to consider grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

15 8 6. A drug court established in a judicial district
15 9 department of correctional services shall only be offered to
15 10 offenders if an adjudication of guilt has been entered, and
15 11 felony offenses shall be given priority over misdemeanors.

Requires Drug Court Programs be offered to clients on a post-adjudication basis, and felony offenses are given priority over misdemeanors.

15 12 7. The department of corrections and the eight judicial
15 13 district departments of correctional services shall submit a
15 14 combined comprehensive report on the violator program and the
15 15 violator aftercare program to the cochairpersons and ranking
15 16 members of the joint appropriations subcommittee on the
15 17 justice system and to the legislative fiscal bureau by
15 18 December 1, 2001. [The report shall include a description of
15 19 the program and each judicial district's criteria for
15 20 admission to the violator program at the Newton correctional
15 21 facility and the Iowa correctional institution for women, the
15 22 number of beds in the program, and the number of offenders
15 23 placed in the program for the fiscal years beginning July 1,
15 24 1999, and ending June 30, 2001. The report shall also contain
15 25 actual expenditures related to the program for each fiscal
15 26 year of the fiscal period beginning July 1, 1999, and ending
15 27 June 30, 2001, the budgeted expenditures for each fiscal year
15 28 of the fiscal period beginning July 1, 1999, and ending June
15 29 30, 2001, by revenue source, the characteristics of each
15 30 offender including the offender's race and gender, the number
15 31 of FTE positions used for the program, and quantitative
15 32 measures analyzing the success of the program.]

VETOED

Requires the DOC and CBC District Departments to submit one combined comprehensive report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by December 1, 2001, on the Violator Program and the Violator Aftercare Program. Specifies the content of the report.

VETOED: The Governor vetoed language that stipulated the contents of this report, stating that, with the funding reductions to the correctional system, manual collection of the data would be an additional burden.

15 33 8. In addition to the requirements of section 8.39, the
15 34 department of corrections shall not make an intradepartmental
15 35 transfer of moneys appropriated to the department, unless
16 1 notice of the intradepartmental transfer is given prior to its
16 2 effective date to the legislative fiscal bureau. The notice
16 3 shall include information on the department's rationale for
16 4 making the transfer and details concerning the work load and
16 5 performance measures upon which the transfers are based.

Requires the DOC to notify the LFB prior to transferring funds between budget units. The DOC is required to explain why the transfer is needed, including workload and performance measures.

16 6 9. The department of corrections and the eight judicial
16 7 district departments of correctional services shall submit a
16 8 combined comprehensive report on the use of intermediate
16 9 criminal sanctions program pursuant to chapter 901B to the
16 10 cochairpersons and ranking members of the joint appropriations
16 11 subcommittee on the justice system, and to the legislative
16 12 fiscal bureau by January 15, 2002. [The report shall include a
16 13 description of the program and the criteria used for placement
16 14 at each intermediate sanction level or sublevel of the
16 15 corrections continuum within each district plan, the number of
16 16 offenders placed at each intermediate sanction level or
16 17 sublevel in each district for each fiscal year of the fiscal
16 18 period beginning July 1, 1999, and ending June 30, 2001, the
16 19 number of offenders expected to be placed in the program for
16 20 the fiscal year beginning July 1, 2001, and ending June 30,
16 21 2002, and the capacity for each level and sublevel within the
16 22 continuum. The report shall also contain actual expenditures
16 23 related to the continuum for each fiscal year of the fiscal
16 24 period beginning July 1, 1999, and ending June 30, 2001, the
16 25 budgeted expenditures for each fiscal year of the fiscal
16 26 period beginning July 1, 1999, and ending June 30, 2001, by
16 27 revenue source, the characteristics of each offender including
16 28 the offender's race and gender at each level and sublevel, the
16 29 number of FTE positions working in positions related to the
16 30 continuum, and quantitative measures analyzing the success of
16 31 the program.]

VETOED

Requires the DOC and the CBC District Departments to report to the Chairs and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2002, concerning the implementation and effectiveness of the Intermediate Criminal Sanctions Program. Specifies the contents of the report.

VETOED: The Governor vetoed language that stipulated the contents of this report, stating that, with the funding reductions to the correctional system, manual collection of the data would be an additional burden.

16 32 10. The department of corrections in cooperation with the
16 33 second, third, fourth, and fifth judicial district departments
16 34 of correctional services, shall implement procedures to
16 35 provide continuing evaluation of the drug courts. The
17 1 evaluation shall include a description of the two models
17 2 currently being used by the judicial districts, a description
17 3 of the program, criteria for admission, program capacity,
17 4 number of offenders in the program by offense class, program
17 5 expenditures, and quantitative outcome measures including

Requires the DOC and CBC District Departments to implement procedures for the evaluation of drug courts.

17 6 successful completion and recidivism rates.

17 7 Sec. 7. CORRECTIONAL INSTITUTIONS — VOCATIONAL TRAINING.

17 8 1. The state prison industries board and the department of
17 9 corrections shall continue the implementation of a plan to
17 10 enhance vocational training opportunities within the
17 11 correctional institutions listed in section 904.102, as
17 12 provided in 1993 Iowa Acts, chapter 171, section 12. The plan
17 13 shall provide for increased vocational training opportunities
17 14 within the correctional institutions, including the
17 15 possibility of approving community college credit for inmates
17 16 working in prison industries. The department of corrections
17 17 shall provide a report concerning the implementation of the
17 18 plan to the cochairpersons and ranking members of the joint
17 19 appropriations subcommittee on the justice system and the
17 20 legislative fiscal bureau, on or before January 15, 2002.

Requires the State Prison Industries Board and the DOC to continue to implement the plan for enhancement of vocational training opportunities within the Institutions. The plan is to provide for increased vocational training opportunities and the possibility for inmates to earn community college credit for working in prison industries. The DOC is to report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2002.

17 21 2. It is the intent of the general assembly that each
17 22 correctional facility make all reasonable efforts to maintain
17 23 vocational education programs for inmates and to identify
17 24 available funding sources to continue these programs. The
17 25 department of corrections shall submit a report to the general
17 26 assembly by January 1, 2002, concerning the efforts made by
17 27 each correctional facility in maintaining vocational education
17 28 programs for inmates.

Specifies that it is the intent of the General Assembly that the DOC make all reasonable efforts to maintain vocational education programs and seek additional funding to continue the programs. Requires the DOC to submit a report to the General Assembly by January 1, 2002, concerning efforts to maintain the vocational education programs for inmates.

17 29 3. The department of corrections shall submit a report on
17 30 inmate labor to the general assembly, the cochairpersons, and
17 31 the ranking members of the joint appropriations subcommittee
17 32 on the justice system, and to the legislative fiscal bureau by
17 33 January 15, 2002. The report shall specifically address the
17 34 progress the department has made in implementing the
17 35 requirements of section 904.701, inmate labor on capital
18 1 improvement projects, community work crews, and private-sector
18 2 employment.

Requires the DOC to submit a report to the General Assembly, Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2002, regarding inmate labor. Specifies the content of the report.

18 3 4. Each month the department shall provide a status report
18 4 regarding private-sector employment to the legislative fiscal
18 5 bureau beginning on July 1, 2001. The report shall include
18 6 the number of offenders employed in the private sector, the
18 7 combined number of hours worked by the offenders, and the
18 8 total amount of allowances, and the distribution of allowances
18 9 pursuant to section 904.702, including any moneys deposited in
18 10 the general fund of the state.

Requires the DOC to provide a monthly status report to the LFB regarding private sector employment of inmates.

18 11 Sec. 8. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

Encourages State agencies to buy products from Iowa Prison Industries whenever possible.

18 12 1. As used in this section, unless the context otherwise
18 13 requires, "state agency" means the government of the state of
18 14 Iowa, including but not limited to all executive branch
18 15 departments, agencies, boards, bureaus, and commissions, the
18 16 judicial branch, the general assembly and all legislative
18 17 agencies, institutions within the purview of the state board
18 18 of regents, and any corporation whose primary function is to
18 19 act as an instrumentality of the state.

18 20 2. State agencies are hereby encouraged to purchase
18 21 products from Iowa state industries, as defined in section
18 22 904.802, when purchases are required and the products are
18 23 available from Iowa state industries.

18 24 3. State agencies shall submit to the legislative fiscal
18 25 bureau by January 15, 2002, a report of the dollar value of
18 26 products and services purchased from Iowa state industries by
18 27 the state agency during the fiscal year beginning July 1,
18 28 2000, and ending June 30, 2001.

Requires State agencies to report FY 2001 purchases from Iowa Prison Industries to the LFB by January 15, 2002.

18 29 Sec. 9. STATE PUBLIC DEFENDER. There is appropriated from
18 30 the general fund of the state to the office of the state
18 31 public defender of the department of inspections and appeals
18 32 for the fiscal year beginning July 1, 2001, and ending June
18 33 30, 2002, the following amount, or so much thereof as is
18 34 necessary, for the purposes designated:
18 35 \$ 34,607,759

General Fund appropriation to the Department of Inspections and Appeals for the State Public Defender's Office.

DETAIL: This is a decrease of \$992,716 and an increase of 1.00 FTE position compared to the FY 2001 estimated net appropriation.

PG LN	Senate File 530	Explanation
19 1	The funds appropriated and full-time equivalent positions	<p>Allocates the General Fund appropriation for the State Public Defender's Office.</p> <p>DETAIL: This is an increase of \$397,561 and 1.00 FTE position compared to the FY 2001 estimated net appropriation. The change includes:</p> <ol style="list-style-type: none"> 1. An increase of \$397,561 to maintain the current level of service. 2. An increase of 1.00 FTE position to convert a contract position to a State employee.
19 2	authorized in this section are allocated as follows:	
19 3	1. For salaries, support, maintenance, and miscellaneous	
19 4	purposes, and for not more than the following full-time	
19 5	equivalent positions:	
19 6 \$ 14,793,660	
19 7 FTEs 202.00	
19 8	2. For the fees of court-appointed attorneys for indigent	<p>Allocates the General Fund appropriation for the Indigent Defense Program.</p> <p>DETAIL: This is a decrease of \$1,390,277 compared to the FY 2001 estimated net appropriation. The change includes:</p> <ol style="list-style-type: none"> 1. A decrease of \$680,000 based on the FY 2000 appropriation to the Department of Human Services. 2. A decrease of \$710,277 for a 3.30% across-the-board reduction.
19 9	adults and juveniles, in accordance with section 232.141 and	
19 10	chapter 815:	
19 11 \$ 19,814,099	
19 12	Sec. 10. IOWA LAW ENFORCEMENT ACADEMY. There is	<p>General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).</p>
19 13	appropriated from the general fund of the state to the Iowa	
19 14	law enforcement academy for the fiscal year beginning July 1,	
19 15	2001, and ending June 30, 2002, the following amount, or so	
19 16	much thereof as is necessary, to be used for the purposes	
19 17	designated:	
19 18	1. For salaries, support, maintenance, miscellaneous	
19 19	purposes, including jailer training and technical assistance,	
19 20	and for not more than the following full-time equivalent	
19 21	positions:	

PG LN	Senate File 530	Explanation
19 22 \$ 1,306,546	DETAIL: This is a decrease of \$94,596 and 1.00 FTE position compared to FY 2001 estimated net appropriation.
19 23 FTEs 29.05	
19 24	It is the intent of the general assembly that the Iowa law	Specifies that it is the intent of the General Assembly that the Iowa Law Enforcement Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.
19 25	enforcement academy may provide training of state and local	
19 26	law enforcement personnel concerning the recognition of and	
19 27	response to persons with Alzheimer's disease.	
19 28	2. The Iowa law enforcement academy may select at least	Allows the Iowa Law Enforcement Academy to annually select at least five vehicles being turned in to the State fleet administrator by the Department of Public Safety and exchange them for any of the Academy's training vehicles. The vehicles received by the Department of Public Safety from the Academy are to be sold at public auction. Requires the receipts be deposited into the depreciation fund used to purchase new vehicles for the Department of Public Safety.
19 29	five automobiles of the department of public safety, division	
19 30	of the Iowa state patrol, prior to turning over the	
19 31	automobiles to the state fleet administrator to be disposed of	
19 32	by public auction and the Iowa law enforcement academy may	
19 33	exchange any automobile owned by the academy for each	
19 34	automobile selected if the selected automobile is used in	
19 35	training law enforcement officers at the academy. However,	
20 1	any automobile exchanged by the academy shall be substituted	
20 2	for the selected vehicle of the department of public safety	
20 3	and sold by public auction with the receipts being deposited	General Fund appropriation for the Board of Parole.
20 4	in the depreciation fund to the credit of the department of	
20 5	public safety, division of the Iowa state patrol.	
20 6	Sec. 11. BOARD OF PAROLE. There is appropriated from the	
20 7	general fund of the state to the board of parole for the	
20 8	fiscal year beginning July 1, 2001, and ending June 30, 2002,	
20 9	the following amount, or so much thereof as is necessary, to	
20 10	be used for the purposes designated:	
20 11	For salaries, support, maintenance, miscellaneous purposes,	
20 12	and for not more than the following full-time equivalent	DETAIL: This is a reduction of \$60,210 and 1.50 FTE positions compared to the FY 2001 estimated net appropriation. The change includes:
20 13	positions:	
20 14 \$ 1,019,507	
20 15 FTEs 16.50	

1. A decrease of \$62,290 and 1.50 FTE positions to eliminate a vacant Administrative Law Judge position and a vacant part-time clerk position.
2. An increase of \$14,188 to increase Board members' per diem from 133 to 151 days.
3. A decrease of \$3,993 from office supplies.
4. A decrease of \$8,115 for a 0.80% across-the-board reduction.

20 16 A portion of the funds appropriated in this section shall
 20 17 be used to continue a pilot program for probation violations
 20 18 in the sixth judicial district department of correctional
 20 19 services. Data shall be maintained to evaluate the pilot
 20 20 program.

Requires the Board of Parole to continue the probation revocation pilot project in the Sixth CBC District Department. Data to evaluate the project is to be collected and maintained.

20 21 Sec. 12. DEPARTMENT OF PUBLIC DEFENSE. There is
 20 22 appropriated from the general fund of the state to the
 20 23 department of public defense for the fiscal year beginning
 20 24 July 1, 2001, and ending June 30, 2002, the following amounts,
 20 25 or so much thereof as is necessary, to be used for the
 20 26 purposes designated:

20 27 1. MILITARY DIVISION

20 28 For salaries, support, maintenance, miscellaneous purposes,
 20 29 and for not more than the following full-time equivalent
 20 30 positions:

20 31 \$ 5,190,924
 20 32 FTEs 259.76

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is a decrease of \$41,825 and an increase of 3.00 FTE positions compared to the FY 2001 estimated net appropriation. This is a 0.80% across-the-board reduction. The 3.00 FTE positions are evenly split between Sioux City and Des Moines. The funding for these FTE positions was received through federal funding in FY 2001.

20 33 If there is a surplus in the general fund of the state for
 20 34 the fiscal year ending June 30, 2002, within 60 days after the
 20 35 close of the fiscal year, the military division may incur up
 21 1 to an additional \$500,000 in expenditures from the surplus
 21 2 prior to transfer of the surplus pursuant to section 8.57.

Allows the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days to receive federal reimbursements for eligible expenses. This authorization allows the Division to borrow State General Fund dollars to cover federal reimbursable expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that allows the State to receive an advance of federal funds in order to provide funding to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

21 3 2. EMERGENCY MANAGEMENT DIVISION
 21 4 For salaries, support, maintenance, miscellaneous purposes,
 21 5 and for not more than the following full-time equivalent
 21 6 positions:
 21 7 \$ 1,051,608
 21 8 FTEs 25.25

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

DETAIL: This is a decrease of \$8,474 for a 0.80% across-the-board reduction and no change in FTE positions compared to the FY 2001 estimated net appropriation.

21 9 Sec. 13. DEPARTMENT OF PUBLIC SAFETY. There is
 21 10 appropriated from the general fund of the state to the
 21 11 department of public safety for the fiscal year beginning July
 21 12 1, 2001, and ending June 30, 2002, the following amounts, or
 21 13 so much thereof as is necessary, to be used for the purposes
 21 14 designated:

21 15 1. For the department's administrative functions,
 21 16 including the criminal justice information system, and for not
 21 17 more than the following full-time equivalent positions:
 21 18 \$ 2,404,533
 21 19 FTEs 39.80

General Fund appropriation to the Department of Public Safety for the Administrative Services Division.

DETAIL: This is a decrease of \$224,978 and an increase of 1.00 FTE position compared to the FY 2001 estimated net appropriation. The decrease includes a \$97,165 reduction for a new technology position, equipment costs, and vehicle depreciation funding. A \$127,813 across-the-board reduction was applied. A new FTE position is authorized to provide security for the law enforcement computer network as required by the National Crime Information Center. This is federally mandated and will be funded by a federal grant.

21 20 2. For the division of criminal investigation and bureau
 21 21 of identification including the state's contribution to the
 21 22 peace officers' retirement, accident, and disability system
 21 23 provided in chapter 97A in the amount of 17 percent of the
 21 24 salaries for which the funds are appropriated, to meet federal
 21 25 fund matching requirements, and for not more than the
 21 26 following full-time equivalent positions:
 21 27 \$ 11,931,266
 21 28 FTEs 233.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is a decrease of \$958,927 and 2.00 FTE positions compared to the FY 2001 estimated net appropriation. The decrease includes a \$477,063 reduction in equipment costs, vehicle depreciation, and overtime, and a reduction of \$255,421 and 4.00 FTE positions that were added to the DCI in FY 2001. A \$226,443 across-the-board reduction was applied. Two contingent FTE positions were added to the DCI to create an Elderly Crime Unit.

21 29 Of the full-time equivalent positions authorized in this
 21 30 subsection, the division of criminal investigation may use
 21 31 2.00 FTEs for the establishment of an elderly crime unit if
 21 32 federal funding is obtained. If federal funding is obtained
 21 33 and subsequently discontinued, the 2.00 FTEs shall be
 21 34 eliminated.

Allows the DCI to add 2.00 FTE positions to create an Elderly Crime Unit within the DCI. The two FTE positions are contingent upon the receipt of federal funds.

21 35 Riverboat enforcement costs shall be billed in accordance
 22 1 with section 99F.10, subsection 4. The costs shall be not
 22 2 more than the department's estimated expenditures, including
 22 3 salary adjustment, for riverboat enforcement for the fiscal
 22 4 year.

Requires the Department of Public Safety to bill riverboats for 80.00% of the salaries of the gaming enforcement officers, plus no more than \$125,000 in support costs.

22 5 The department of public safety, with the approval of the
 22 6 department of management, may employ no more than two special
 22 7 agents and four gaming enforcement officers for each
 22 8 additional riverboat regulated after July 1, 2001, and one
 22 9 special agent for each racing facility which becomes
 22 10 operational during the fiscal year which begins July 1, 2001.
 22 11 One additional gaming enforcement officer, up to a total of
 22 12 four per boat, may be employed for each riverboat that has
 22 13 extended operations to 24 hours and has not previously
 22 14 operated with a 24-hour schedule. Positions authorized in
 22 15 this paragraph are in addition to the full-time equivalent
 22 16 positions otherwise authorized in this subsection.

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming enforcement officers upon receiving approval from the DOM for new riverboats licensed after July 1, 2000, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2001.

22 17 3. a. For the division of narcotics enforcement,
 22 18 including the state's contribution to the peace officers'
 22 19 retirement, accident, and disability system provided in
 22 20 chapter 97A in the amount of 17 percent of the salaries for
 22 21 which the funds are appropriated, to meet federal fund
 22 22 matching requirements, and for not more than the following
 22 23 full-time equivalent positions:
 22 24 \$ 3,501,690
 22 25 FTEs 61.00

General Fund appropriation to the Department of Public Safety for the Narcotics Enforcement Division.

DETAIL: This is a decrease of \$704,784 and 4.00 FTE positions compared to the FY 2001 estimated net appropriation. The decrease includes a \$72,465 reduction in equipment costs, vehicle funds, and overtime, and a decrease of \$348,288 and 4.00 FTE positions that were added in FY 2001. A \$284,031 across-the-board reduction was applied.

22 26 b. For the division of narcotics enforcement for
 22 27 undercover purchases:
 22 28 \$ 129,804

General Fund appropriation to the Department of Public Safety for undercover purchases by the Division of Narcotics Enforcement.

DETAIL: This is a decrease of \$9,398 compared to the FY 2001 estimated net appropriation for undercover operations.

22 29 4. a. For the state fire marshal's office, including the
 22 30 state's contribution to the peace officers' retirement,
 22 31 accident, and disability system provided in chapter 97A in the
 22 32 amount of 17 percent of the salaries for which the funds are
 22 33 appropriated, and for not more than the following full-time
 22 34 equivalent positions:
 22 35 \$ 1,831,002
 23 1 FTEs 38.80

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

DETAIL: This is a decrease of \$172,537 and an increase of 2.00 FTE positions compared to the FY 2001 estimated net appropriation. The \$67,556 reduction includes existing vacancies, vehicle funds, and equipment. A reduction of \$72,690 in one-time costs was included and a \$32,291 across-the-board reduction was applied. The 2.00 FTE positions are to be funded with federal funds and receipts within the Fire Marshal's Office.

23 2 b. For the state fire marshal's office, for fire
 23 3 protection services as provided through the state fire service
 23 4 and emergency response council as created in the department,
 23 5 and for not more than the following full-time equivalent
 23 6 positions:
 23 7 \$ 606,460
 23 8 FTEs 12.00

General Fund appropriation to the State Fire Marshal's Office.

DETAIL: Maintains current level of funding.

PG LN

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Explanation

23 9 5. For the capitol police division, including the state's
 23 10 contribution to the peace officers' retirement, accident, and
 23 11 disability system provided in chapter 97A in the amount of 17
 23 12 percent of the salaries for which the funds are appropriated
 23 13 and for not more than the following full-time equivalent
 23 14 positions:

23 15 \$ 1,240,582
 23 16 FTEs 26.00

General Fund appropriation to the Department of Public Safety for the Capitol Police Division.

DETAIL: This is a decrease of \$150,830 and 1.00 FTE position compared to the FY 2001 estimated net appropriation. The decrease includes \$58,984 and 1.00 FTE position due to a retirement, and a \$91,846 across-the-board reduction was applied.

23 17 6. For the division of the Iowa state patrol of the
 23 18 department of public safety, for salaries, support,
 23 19 maintenance, workers' compensation costs, and miscellaneous
 23 20 purposes, including the state's contribution to the peace
 23 21 officers' retirement, accident, and disability system provided
 23 22 in chapter 97A in the amount of 17 percent of the salaries for
 23 23 which the funds are appropriated, and for not more than the
 23 24 following full-time equivalent positions:

23 25 \$ 36,676,633
 23 26 FTEs 567.25

General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.

DETAIL: This is a decrease of \$2,780,760 and 13.00 FTE positions compared to the FY 2001 estimated net appropriation. The decrease includes a reduction of \$984,028 and 9.00 FTE positions due to vacant positions, retirements, overtime and extra help; a decrease of \$309,000 to establish a sick leave payout fund; and a reduction of \$284,546 and 4.00 FTE positions in the Drug Abuse Resistance Education Program. An additional \$1,203,186 across-the-board reduction was applied.

23 27 7. For costs associated with the maintenance of the
 23 28 automated fingerprint information system (AFIS):
 23 29 \$ 239,743

General Fund appropriation for the Automated Fingerprint Information System of the Department of Public Safety.

DETAIL: This is a decrease of \$29,682 compared to the FY 2001 estimated net appropriation in the amount available for maintenance and upgrades for the Automated Fingerprint Information System.

23 30 8. For deposit in the public safety law enforcement sick-
 23 31 leave benefit fund established under section 80.42, for all
 23 32 departmental employees eligible to receive benefits for
 23 33 accrued sick leave under the collective bargaining agreement:
 23 34 \$ 288,139

General Fund appropriation to create a non-reversionary fund in the Department of Public Safety to be used for sick leave payout.

DETAIL: A line item allocation in the State Patrol was used to create a new appropriation. Non-supervisory peace officers of the Department of Public Safety, at retirement, are provided the benefit of converting

unused sick leave, at the rate of pay on their retirement date, for the purpose of paying the monthly premium of health and/or life insurance policies. The fund is expected to help ease the cost of payouts to the Department's operating budget.

23 35 9. An employee of the department of public safety who
 24 1 retires after July 1, 2001, but prior to June 30, 2002, is
 24 2 eligible for payment of life or health insurance premiums as
 24 3 provided for in the collective bargaining agreement covering
 24 4 the public safety bargaining unit at the time of retirement if
 24 5 that employee previously served in a position which would have
 24 6 been covered by the agreement. The employee shall be given
 24 7 credit for the service in that prior position as though it
 24 8 were covered by that agreement. The provisions of this
 24 9 subsection shall not operate to reduce any retirement benefits
 24 10 an employee may have earned under other collective bargaining
 24 11 agreements or retirement programs.

Allows employees of the Department of Public Safety who retire after July 1, 2000, but prior to June 30, 2001, to be eligible for insurance benefits as provided for by the collective bargaining agreement. The employees must have previously served in positions that would have been covered by the agreement.

24 12 10. For costs associated with the training and equipment
 24 13 needs of volunteer fire fighters and for not more than the
 24 14 following full-time equivalent positions:
 24 15 \$ 573,154
 24 16 FTEs 1.00

General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training Grants.

DETAIL: This is a decrease of \$141,536 and no change in FTE positions compared to the FY 2001 estimated net appropriation.

24 17 Notwithstanding section 8.33, moneys appropriated in this
 24 18 subsection that remain unobligated or unexpended at the close
 24 19 of the fiscal year shall not revert but shall remain available
 24 20 for expenditure only for the purpose designated in this
 24 21 subsection until the close of the succeeding fiscal year.

CODE: Allows the balance remaining at the end of the fiscal year to carry forward to the next fiscal year for fire fighter training grants.

24 22 DIVISION II
 24 23 SUPPLEMENTAL APPROPRIATION

24 24 Sec. 14. SUPPLEMENTAL APPROPRIATION TO THE FORT MADISON
 24 25 CORRECTIONAL FACILITY. There is appropriated from the general
 24 26 fund of the state to the department of corrections for the

General Fund supplemental appropriation for FY 2001 to the Fort Madison Correctional Facility.

PG LN	Senate File 530	Explanation
24 27	fiscal year beginning July 1, 2000, and ending June 30, 2001,	DETAIL: This expense is offset by a one-time payment from the federal Bureau of Prisons due to the DOC agreeing to enter into a 10-year contract to hold federal detainees in the Iowa prison system. The FY 2002 General Fund appropriation is reduced by \$2.00 million.
24 28	the following amount, or so much thereof as is necessary, to	
24 29	be used for the purposes designated, in addition to the	
24 30	appropriation made for those purposes in 2000 Iowa Acts,	
24 31	chapter 1229, section 4:	
24 32	For compliance at the Fort Madison correctional facility,	CODE: Allows the balance remaining at the end of the fiscal year to carry forward to the next fiscal year.
24 33	including salaries, support, maintenance, and miscellaneous	
24 34	purposes:	
24 35 \$ 2,000,000	
25 1	Notwithstanding section 8.33, moneys appropriated in this	
25 2	section that remain unencumbered or unobligated at the close	Specifies that Division II, relating to the General Fund supplemental appropriation for FY 2001 for the Fort Madison Correctional Facility, takes effect upon enactment.
25 3	of the fiscal year shall not revert but shall remain available	
25 4	for expenditure in subsequent fiscal years for the purposes	
25 5	specified in the section.	
25 6	Sec. 15. EFFECTIVE DATE. This division of this Act, being	CODE: Permits the DOC to not pay depreciation expenses into the Vehicle Replacement Fund.
25 7	deemed of immediate importance, takes effect upon enactment.	
25 8	DIVISION III	
25 9	CODE CHANGES	
25 10	Sec. 16. Section 18.120, Code 2001, is amended to read as	
25 11	follows:	CODE: Permits the DOC to not pay depreciation expenses into the Vehicle Replacement Fund.
25 12	18.120 REPLACEMENT FUND.	
25 13	<u>1.</u> The state fleet administrator shall maintain a	
25 14	depreciation fund for the purchase of replacement motor	
25 15	vehicles and additions to the fleet. The state fleet	
25 16	administrator's records shall show the total funds deposited	
25 17	by and credited to each department or agency thereof. At the	
25 18	end of each month, the state fleet administrator shall render	
25 19	a statement to each state department or agency thereof for	
25 20	additions to the fleet and total depreciation credited to that	
25 21	department or agency. Such depreciation expense shall be paid	
25 22	by the state departments or agencies in the same manner as	

25 23 other expenses of such department are paid, and shall be
25 24 deposited in the depreciation fund to the credit of the
25 25 department or agency thereof. The funds credited to each
25 26 department or agency thereof shall remain the property of the
25 27 department or agency. However, at the end of each biennium,
25 28 the state fleet administrator shall cause to revert to the
25 29 fund from which it accumulated any unassigned depreciation.
25 30 2. The department of corrections is not obligated to pay
25 31 the depreciation expense otherwise required by this section.

25 32 Sec. 17. NEW SECTION. 80.42 SICK LEAVE BENEFITS FUND.

25 33 1. A sick leave benefits fund is established in the office
25 34 of the treasurer of state under the control of the department
25 35 of public safety. The moneys annually credited to the fund
26 1 are appropriated to the department to pay health and life
26 2 insurance monthly premium costs for retired departmental
26 3 employees and beneficiaries who are eligible to receive
26 4 benefits for accrued sick leave under the collective
26 5 bargaining agreement with the state police officers council or
26 6 pursuant to section 70A.23.

26 7 2. Notwithstanding section 12C.7, subsection 2, interest
26 8 or earnings on moneys credited to the sick leave benefits fund
26 9 shall be credited to the sick leave benefits fund.

26 10 Notwithstanding section 8.33, moneys credited to the sick
26 11 leave benefits fund at the end of a fiscal year shall not
26 12 revert to any other fund but shall remain in the fund for
26 13 purposes of the fund.

26 14 3. Notwithstanding section 8.39, if funds are needed to
26 15 pay monthly premium costs as provided for in subsection 1,
26 16 sufficient funds may be transferred and credited to the sick
26 17 leave benefits fund from any moneys appropriated to the
26 18 department.

26 19 [Sec. 18. Section 904.513, subsection 2, Code 2001, is
26 20 amended to read as follows:

26 21 2. Upon request by the director a county shall provide
26 22 temporary confinement for offenders allegedly violating the

CODE: Establishes a non-reversionary fund to be used for sick leave payout within the Department of Public Safety.

FISCAL IMPACT: The fiscal impact is \$288,139 to create a non-reversionary fund within the Department of Public Safety to establish a sick leave payout fund.

VETOED

CODE: Requires that the average daily cost of confining a violator in a county jail does not include administrative costs for the counties reimbursed by the DOC for county confinement. Requires the

26 23 conditions of assignment to a program under this chapter, if
26 24 space is available in the county. The department shall
26 25 negotiate a reimbursement rate with each county. The amount
26 26 to be reimbursed shall be determined by multiplying the number
26 27 of days a person is confined by the average daily cost of
26 28 confining a person in the county facility as negotiated with
26 29 the department. The average daily cost shall not include
26 30 administrative support personnel costs as defined in the
26 31 United States marshal's service cost sheet for detention
26 32 services. A county holding offenders in jail due to
26 33 insufficient space in a community residential facility shall
26 34 be reimbursed as provided in this subsection. Payment shall
26 35 be made upon submission of a ~~voucher~~ United States marshal's
27 1 service cost sheet executed by the sheriff and approved by the
27 2 director.]

27 3 [Sec. 19. Section 904.908, subsection 2, Code 2001, is
27 4 amended to read as follows:
27 5 2. The Iowa department of corrections shall negotiate a
27 6 reimbursement rate with each county for the temporary
27 7 confinement of alleged violators of work release conditions
27 8 who are in the custody of the director of the Iowa department
27 9 of corrections or who are housed or supervised by the judicial
27 10 district department of correctional services. The amount to
27 11 be reimbursed shall be determined by multiplying the number of
27 12 days a person is confined by the average daily cost of
27 13 confining a person in the county facility as negotiated with
27 14 the department. The average daily cost shall not include
27 15 administrative support personnel costs as defined in the
27 16 United States marshal's service cost sheet for detention
27 17 services. Payment shall be made upon submission of a ~~voucher~~
27 18 United States marshal's service cost sheet executed by the
27 19 sheriff and approved by the director of the Iowa department of
27 20 corrections.]

VETOED

counties to use the U.S. Marshal Service cost sheet for reimbursement from the DOC.

VETOED: The Governor vetoed this Section, stating that the proposed language is vague and the U.S. Marshal service cost sheets do not provide any definition of administrative support personnel costs.

CODE: Requires that the average daily cost does not include administrative costs for the counties reimbursed by the DOC for county confinement. Requires the counties to use the U.S. Marshal Service cost sheet for reimbursement from the DOC.

VETOED: The Governor vetoed this Section, stating that the proposed language is vague and the U.S. Marshal service cost sheets do not provide any definition of administrative support personnel costs.

VETOED

27 21 [Sec. 20. Section 906.17, subsection 2, Code 2001, is
27 22 amended to read as follows:
27 23 2. The Iowa department of corrections shall reimburse a
27 24 county for the temporary confinement of alleged parole
27 25 violators. The amount to be reimbursed shall be determined by
27 26 multiplying the number of days confined by the average daily
27 27 cost of confining a person in the county facility as
27 28 negotiated by the department. The average daily cost shall
27 29 not include administrative support personnel costs as defined
27 30 in the United States marshal's service cost sheet for
27 31 detention services. Payment shall be made upon submission of
27 32 a ~~voucher~~ United States marshal's service cost sheet executed
27 33 by the sheriff and approved by the director of the Iowa
27 34 department of corrections.]

CODE: Requires that the average daily cost does not include administrative costs for the counties reimbursed by the DOC for county confinement. Requires the counties to use the U.S. Marshal Service cost sheet for reimbursement from the DOC.

VETOED: The Governor vetoed this Section, stating that the proposed language is vague and the U.S. Marshal service cost sheets do not provide any definition of administrative support personnel costs.

27 35 Sec. 21. 1998 Iowa Acts, chapter 1101, section 15,
28 1 subsection 2, as amended by 1999 Iowa Acts, chapter 202,
28 2 section 25, and as amended by 2000 Iowa Acts, chapter 1229,
28 3 section 25, is amended to read as follows:
28 4 2. a. There is appropriated from surcharge moneys
28 5 received by the E911 administrator and deposited into the
28 6 wireless E911 emergency communications fund, for each fiscal
28 7 year in the fiscal period beginning July 1, 1998, and ending
28 8 June 30, ~~2004~~ 2002, an amount not to exceed two hundred
28 9 thousand dollars to be used for the implementation, support,
28 10 and maintenance of the functions of the E911 administrator.
28 11 The amount appropriated in this paragraph includes any amounts
28 12 necessary to reimburse the division of emergency management of
28 13 the department of public defense pursuant to paragraph "b".
28 14 b. Notwithstanding the distribution formula in section
28 15 34A.7A, as enacted in this Act, and prior to any such
28 16 distribution, of the initial surcharge moneys received by the
28 17 E911 administrator and deposited into the wireless E911
28 18 emergency communications fund, for each fiscal year in the
28 19 fiscal period beginning July 1, 1998, and ending June 30, ~~2004~~
28 20 2002, an amount is appropriated to the division of emergency

CODE: Continues funding from the Wireless E911 Emergency Communications Fund for the Emergency Management Division, Department of Public Defense, through FY 2001. The Division receives up to \$200,000 for administration of the implementation of the wireless E911 service.

28 21 management of the department of public defense as necessary to
28 22 reimburse the division for amounts expended for the
28 23 implementation, support, and maintenance of the E911
28 24 administrator, including the E911 administrator's salary.

28 25 Sec. 22. LEGISLATIVE STUDY — INVOLUNTARY HOSPITALIZATION
28 26 AND INVOLUNTARY COMMITMENT PROCEEDINGS. The legislative
28 27 council is requested to establish a study committee during the
28 28 2001 interim on issues relating to involuntary hospitalization
28 29 including, but not limited to, both inpatient and outpatient
28 30 commitment proceedings and advanced directives. The study
28 31 committee shall consist of legislator members of both
28 32 political parties from both houses of the general assembly,
28 33 representatives of the judicial branch and the department of
28 34 corrections, counties, law enforcement personnel, including
28 35 police officers and sheriffs, mental health consumers, mental
29 1 health advocacy groups, including, but not limited to,
29 2 representatives from the alliance for the mentally ill and
29 3 mental health advocates, representatives from the Iowa
29 4 department of public health, and representatives from the
29 5 psychiatric and psychological services community.

DETAIL: Requests a legislative study committee meet during the
2001 Interim regarding involuntary hospitalization and involuntary
commitment proceedings.

29 6 SF 530
29 7 jm/cc/26